

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: APR 18 2013

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JOSEPH TUMINELLO,	:	
	:	
	:	
	:	
Plaintiff(s),	:	<u>13</u> Civ. <u>938</u> (KBF)
	:	
	:	
	:	
-v-	:	<u>SCHEDULING ORDER</u>
AETNA LIFE INSURANCE COMPANY,	:	
	:	
	:	
Defendant(s).	:	
	:	
	:	
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KATHERINE B. FORREST, District Judge:

The parties propose the following schedule for this matter:

1. All parties [**do / do not**] consent to conducting all further proceedings before a United States Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences.
2. Close of fact discovery: August 16, 2013 [within 4 months]
3. Close of expert discovery: Not Applicable [25 days after the close of fact discovery]

The parties contemplate experts in this matter for the following subject(s): The parties do not anticipate retaining experts.

4. [For F.L.S.A. actions only] The plaintiff(s) [**do / do not**] anticipate making a motion for conditional class certification.

Not Applicable

Proposed briefing schedule:

Opening: _____

Opp'n: _____

Reply: _____

[Opening brief filed no later than 30 days from the date of the initial pretrial conference; full briefing shall be completed within 30 days of the opening brief]

5. The parties **[do/ do not]** anticipate making dispositive motions. The contemplated dispositive motion(s) is/are a motion(s)
for summary judgment.

Proposed briefing schedule:

Opening: September 10, 2013
Opp'n: October 8, 2013
Reply: October 29, 2013

[Opening brief filed no later than the close of expert discovery; full briefing shall be completed within 52 days of the opening brief]

DO NOT FILL IN BELOW – THE COURT WILL SET ITEMS 6-9

6. The next status conference in this matter is set for _____
at _____. N.A.
7. All pretrial materials, including the Joint Pretrial Order ("JPTO"):
_____.
8. The Final Pretrial Conference ("FPTC") in this matter is set for
_____ at _____.

9. Trial in this matter shall commence on _____. Trial **[will / will not]** be before a jury. Trial is anticipated to take _____ **[days / weeks]**.

SO ORDERED:

Dated: New York, New York
4/18, 2013

K. B. Forrest

KATHERINE B. FORREST
United States District Judge